

SENATE BILL 1797

By Stevens

AN ACT to amend Tennessee Code Annotated, Title 29,
relative to contracts for snow removal and ice
control services.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding
the following as a new part:

29-34-901.

(a) As used in this part:

(1) "Commercial property" means privately owned commercial, industrial,
or agricultural real property, or privately owned residential real property
consisting of five (5) or more dwelling units, and includes property owned by a
nonprofit, charitable, or religious organization;

(2) "Service provider" means a person, corporation, partnership,
association, group, or other private entity providing services under a snow
removal and ice control services contract;

(3) "Service receiver" means a person, corporation, partnership,
association, group, or other private entity receiving services under a snow
removal and ice control services contract;

(4) "Snow removal and ice control services contract" means a contract or
agreement for the performance of:

(A) Plowing, shoveling, relocating, or other removal of snow, ice,
or mixed precipitation;

(B) De-icing services; or

(C) A service incidental to plowing, shoveling, relocation, de-icing, or other removal of snow, ice, or mixed precipitation, including, but not limited to, operating or moving snow removal or de-icing equipment or materials.

(b) A provision in a snow removal and ice control services contract is void and against public policy if the provision requires a service provider to indemnify, hold harmless, or insure the service receiver against damages arising out of bodily injury to persons, damage to property, or economic damages caused by the service receiver's negligence and the service provider has been directed by the service receiver not to perform the snow removal or ice control services.

(c) This section does not apply to snow removal and ice control services contracts in which a governmental entity is a party.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.